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June 16, 1998

Via Messenger

Denise Williams (SR-6J)
Remedial Enforcement Support Section
Superfund Division
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: *General Notice of Potential Liability for The Vulcan Louisville Smelting Company Site (a/k/a "The Vacant Lot Site") in North Chicago, Illinois*

Dear Ms. Williams:

On behalf of The Northern Trust Bank/Lake Forest, as trustee under the [REDACTED] [REDACTED] we write to respond to the captioned General Notice of Potential Liability ("General Notice").

The General Notice is addressed to The Northern Trust Bank as "Trustee for Land Trust #92980." As the trust documents previously forwarded to the United States Environmental Protection Agency ("U.S. EPA") indicate, title to the subject property is held by Chicago Title and Trust Company as trustee under Land Trust No. 40966 (the "Land Trust"). The beneficiary of the Land Trust is the [REDACTED] The Northern Trust Bank/Lake Forest is the trustee of the Residuary Trust, and this letter is the response of the Residuary Trust to the General Notice. Our reading of the General Notice is that the U.S. EPA requires a response only from the beneficiary of the title holding Land Trust (*i.e.*, the Residuary Trust) and no one else. Accordingly, we respond on behalf of the Residuary Trust, which is the sole beneficiary of the Land Trust, and The Northern Trust Bank/Lake Forest, as trustee of the Residuary Trust.



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As we have stated on several occasions in the past, the Residuary Trust does not have sufficient funds to undertake the response action described in the Engineering Evaluation/Cost Analysis. On March 14, 1997, we forwarded an Account List of Holdings for the Residuary Trust to Tom Krueger of U.S. EPA. As is evident from that list, the Residuary Trust is financially unable to perform the described response action or reimburse U.S. EPA for the costs it has incurred to date.

Nevertheless, as we have previously stated, The Northern Trust Bank/Lake Forest, as trustee of the Residuary Trust, remains willing to discuss a reasonable resolution of the Residuary Trust's potential liability with U.S. EPA. Additionally, The Northern Trust Bank/Lake Forest, as trustee of the Residuary Trust, intends to cooperate with U.S. EPA and its contractors to ensure that the work at the subject property is performed effectively and efficiently. In that regard, we invite you to call us at your convenience to discuss the work to be performed and any accommodations that U.S. EPA or its contractors may require.

Please understand that The Northern Trust Bank/Lake Forest, as trustee of the Residuary Trust, intends to cooperate fully with U.S. EPA, but simply does not have the funds available to perform or finance the response activities. Please call me with any questions or comments, or if you would like to attempt to negotiate a resolution of this matter.

Sincerely,



Robert M. Baratta, Jr.

cc: Harry P. Leadingham
The Northern Trust Company